

410

Anno Regni CAROLI II. REGIS

Anglie, Scotie, Francie, & Hibernie,
Decimo tertio & quarto.

At the *Parliament* begun at *Westminster* the
Eighth day of *May*, *Anno Dom.* 1661. In the
Thirteenth Year of the Reign of our most Gra-
cious Sovereign Lord CHARLES, By the Grace
of God, of *England, Scotland, France, and Ireland,*
King, Defender of the Faith, &c.

And there continued until Friday the Second
of *May*, 1662.



LONDON:

Printed by *John Bill* and *Christopher Barker*, Printers to the
KING'S most Excellent Majesty. 1662.

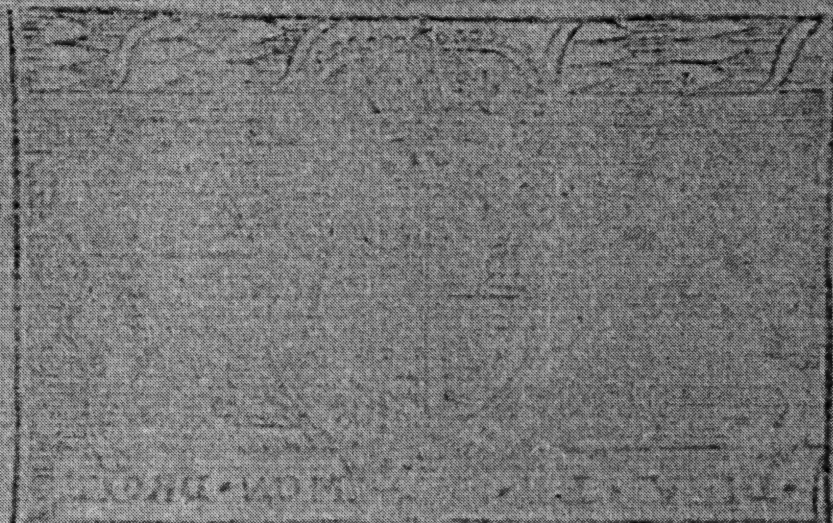
CUM PRIVILEGIO.

ANNO REGNI
CAROLII
PRIMI

Anglicæ, Scoticæ, Hibernicæ,
et aliarum Regni & Imperii

At the Parliament begun at Westminster the
English day of the Twelfth of December in the
Thirteenth Year of the said King's Majesty
Charles the First by the Grace of God
of Great Brittain, France, and Ireland
King, His Majesty's most Excellent Highnesses
the Lords of the Privy Council, and the
Members of the said Parliament

And there continued until the second



Printed by I. I. at the Sign of the Sun in St. Dunstons Church-yard in London

Anno XIII & XIV.

Caroli II. Regis.

Copy of the Original

An Act for preventing the Mischiefs and Dangers that may arise by certain Persons called *Quakers*, and others refusing to take lawful Oaths.



Whereas of late times certain persons under the names of *Quakers*, and other names of Separation, have taken up, and maintained sundry dangerous Opinions and Tenents, and (amongst others) that the taking of an Oath in any case whatsoever, although before a lawful Magistrate, is altogether unlawful and contrary to the Word of God; and the said persons do daily refuse to take an Oath, though lawfully tendered, whereby it often happens that the Truth is wholly suppressed, and the Administration of Justice much obstructed; And whereas the said Persons under a pretence of Religious Worship do often assemble themselves in great numbers in several

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4 Anno decimo tertio & quar to

ral parts of this Realm, to the great endangering of the Publick Peace and Safety, and to the terror of the People, by maintaining a secret and strict correspondence amongst themselves, and in the mean time separating and dividing themselves from the rest of His Majesties good and loyal Subjects, and from the Publick Congregations, and usual places of Divine Worship.

For the redressing therefore, and better preventing the many Mischiefs and Dangers that do and may arise by such dangerous Tenents, and such unlaboful Assemblies; Be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual, and Temporal, and Commons assembled in Parliament, and by Authority of the same, That if any person or persons who maintain that the taking of an Oath in any case whatsoever (although before a laboful Magistrate) is altogether unlaboful, and contrary to the word of God, from and after the Four and twentieth day of March, in this present year of our Lord, One thousand six hundred sixty and one, shall wilfully and obstinately refuse to take an Oath, where, by the Lawes of the Realm, he or she is, or shall be bound to take the same, being labofully and duely tendred, or shall endeavor to perswade any other person, to whom any such Oath shall in like manner be duely and labofully tendred, to refuse, and forbear the taking of the same, or shall by Printing, Writing or otherwise, go about to maintain and defend, that the taking of an Oath

Dath in any case whatsoeber, is altogether unlaboful; And if the said persons commonly called Quakers, shall at any time after the said four and twentieth day of March, depart from the places of their feveral habitations, and assemble themselves to the number of five, or more, of the age of sixteen years or upwards, at any one time, in any place, under pretence of joyning in a Religious boozhip, not Authorized by the Lawes of this Realm, that then in all and ebery such cases, the party so offending being thereof labofully convicted, by verdict of twelbe men, or by his own confession, or by the notozious evidence of the fact, shall lose and forfeit to the Kings Majesty, his Heirs and Successors, for the first offence, such sum as shall be imposed upon him or her, not exceeding five pounds; And if any person or persons, being once convicted of any such offence, shall again offend therein, and shall in form aforesaid, be thereof labofully convicted, shall for the second offence forfeit to the King our Sovereign Lord, his Heirs and Successors, such sum as shall be imposed upon him or her, not exceeding ten pounds: The said respectibe penalties to be levied by distress and sale of the parties goods so convicted, by warrant of the parties before whom they shall be so convicted, rendring the oberplus to the owners, if any be: and for want of such distress, or non-payment of the said penalty, within one week after such conviction, that then the said parties so convicted, shall for the first offence be committed to the Common Goal, or house of Correction, for the space of

6 Anno decimo tertio & quarto

three months; and for the second offence during six months, without bail or Mainprize, there to be kept at hard labour: Which said moneys so to be levied, shall be paid to such person or persons, as shall be appointed by those before whom they shall be convicted, to be employed for the increase of the stock of the house of correction, to which they shall be committed, and providing materials to set them on work. And if any person after he, in form aforesaid, hath been twice convicted of any of the said offences, shall offend the third time, and be thereof in form aforesaid lawfully convicted, that then every person so offending and convicted, shall for his or her third offence abjure the Realm, or otherwise it shall and may be lawful to and for his Majesty, his Heirs and Successors, to give order, and to cause him, her or them, to be transported in any Ship or Ships, to any of his Majesties Plantations beyond the Seas.

And it is Ordained and Enacted by the Authority aforesaid, That all and every Justice of Oyer and Terminer, Justices of Assize, and Goal-delivery, and the Justices of the Peace, shall have full power and Authority in every of their open and general Sessions, to enquire, hear, and determine all and every the said Offences, within the limits of their Commission, to them directed, and to make Process for the execution of the same, as they may do against any person being indicted before them of Trespass, or lawfully convicted thereof.

And

CAROLI II. Regis.

7

And be it also Enacted, That it shall and may be lawful to, and for any Justice of Peace, Mayor, or other chief Officer of any Corporation, within their several Jurisdictions, to commit to the Common Goal, or bind over with sufficient Sureties to the Quarter Sessions, any person or persons offending in the Premises, in order to his or their conviction aforesaid.

Provided always, and be it hereby further Enacted, That if any of the said persons, shall after such conviction as aforesaid, take such Oath or Oaths, for which he or she stands committed, and also give security, that he or she shall for the time to come, forbear to meet in any such unlawful Assembly, as aforesaid, that then, and from thenceforth such person and persons, shall be discharged from all the penalties aforesaid; any thing in this Act to the contrary notwithstanding.

Provided always, and be it Ordained and Enacted by the Authority aforesaid, That all and singular Lords of the Parliament, for every third offence committed against the tenor of this Act, shall be tried by their Peers, and not other wise.

Anno

Anno XIII & XIV.

Caroli II. Regis.

(cap. 2.)

An Act for repairing the High-ways and Sewers, and for paving and keeping clean of the Streets, in and about the Cities of *London* and *Westminster*, and for reforming of Annoyances and Disorders in the Streets of, and places adjacent to the said Cities, and for the Regulating and Licensing of Hackney Coaches, and for the enlarging of several strait and inconvenient Streets and Passages.



Inasmuch as the Common High-ways leading unto, and from the Cities of *London* and *Westminster*, and the Suburbs thereof, and other places within the present Weekly Bills of Mortality, by reason of the multitude of Houses lately built, and through the stopping and filling up the Ditches and Sewers, and neglect of timely Reparations, are at present, and for some years past have been so miry and foul, as is not only very noisom, dangerous and inconvenient to

Anno decimo tertio & quarto, &c. 9

to the inhabitants thereabouts, but to all the Kings Liege people, riding and travelling to and from the said Cities; May it therefore please your most Excellent Majesty, that it may be Enacted, And be it Enacted by the Kings most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled, and by the Authority of the same, That for the Surveying, Ordering, and Managing of the said High-ways, Streets, Allies, and other passages within the said Cities and places aforesaid, and all things necessary for the Repairing, Mending, or keeping clean thereof, there be from henceforward Commissioners to be nominated by his Majesty, under the Great Seal of England, not exceeding the number of One and Twenty, besides such other Commissioners as are by this Act nominated and appointed (whereof the Surveyor of his Majesties Works for the time being to be always one) that shall have their place of meeting, at the Office of his Majesties Works in Scotland-yard, or at some one other place, as they or the greater number of them at any meeting shall direct from time to time, as there shall be occasion; which said Commissioners, or any five or more of them, at their meeting as aforesaid, shall have full power and authority, to order and direct the making of any new Vaults or Sewers, or to cut into any Dreyne or Sewer already made, or the altering, enlarging, amending, cleansing, or scooping of any old Vaults, Sinks, or Com-

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10 Anno decimo tertio & quarto

mon Sewers, or for the making, amending, or altering of any new or old pavements, or taking away of cross Gutters or Channels, in all or any of the streets and places aforesaid, and for the removing of all kind of Nuisances, or any encroachment by Sheds, Stalls, Bulks, Stoops, Posts, or Wall beyond the old Foundations into the Streets, in such places which shall be adjudged inconvenient, and to hinder the passage; Provided that such incroachments as are aforesaid, which are Nuisances, that have continued above thirty years last past, shall not be removed until reasonable satisfaction shall be given by the said Commissioners, to the party or parties that shall suffer thereby. And if any person or persons that own the said Incroachments, or shall not accept of such reasonable satisfaction as shall be tendered or offered by the said Commissioners appointed for the streets, for the pulling down or removing such Nuisances or Incroachments as have been continued before the time aforesaid; That then and in such cases of refusal, the Barons of the Exchequer, upon a Petition preferred to them by the party grieved, shall have power, and are required by this Act to adjudge what satisfaction shall be fit for the said person or persons to receive for the removing or pulling down any such Nuisances or Incroachment.

And to prevent for the future all manner of Timber, and other irregular Buildings, the said Commissioners, or any five or more of them, are hereby impowred to take a view of
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CAROLII II. Regis. ii

all such Nusances or Ineroachments, and irregular Buildings, which said view shall be a good conviction in Law, and every person or persons having notice of the said view or conviction, and shall not remove or take down such Nusances or Ineroachments within one moneth after notice, shall forfeit Forty shillings for every moneth the said Nusances or Ineroachments shall afterwards continue.

And Whereas the common High-Ways, and new built Streets hereafter mentioned, are thought fit immediately to be repaired, new paved, or otherwise amended; namely, the street or way from the end of Petty-France to St. James House, and one other street from St. James House up to the High-Way, and one other street in St. James Fields, commonly called the Pall-mall; and also one other street beginning from the Mews up to Pickadilly, and from thence towards the Stone-bridge, to the furthest building near the Bull at the corner of Air-street: It is therefore Enacted, That all and every person and persons, owners or inhabitants of all and every the Houses built upon, or adjoyning to the said Ways or Streets, so adjudged and thought fit to be paved and repaired, shall according to their several Interests and Estates, and in such proportions as the said Commissioners, or any five of them shall think fit, before the first day of May, One thousand six hundred sixty two, pay unto the said Commissioners, or any five or more of them, so met as aforesaid, which shall be nominated for the paving of
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of the said ways, or to such person or persons as they shall appoint, such sum and sums of money towaards the paving of the said streets or ways, and for the buying of new Stones and Gravel, as shall amount to their several proportions, after the rate of sixteen pence for every square yard which the ground shall contain, that lies in front before every dwelling house, Parks, or Gardens belonging to the said dwelling house; and in the same breadth, extending to the middle of the High-way or Street which lies before the said houses, Parks, or Gardens belonging to the said dwelling houses respectively.

And for the better preserving of the said Streets, and for defraying of the residue of the charge of the said Pavements, Be it further Enacted, That from and after the first day of May, One thousand six hundred sixty and two, no person or persons shall presume to drive (excepting Stage-Coaches) or let to hire by the hour or day, or otherwise any Hackney-Coach or Coach-Horses, within the Cities of London and Westminster, or Suburbs of the same, or within the Parishes comprised within the Bills of Mortality, without an especial leave or licence from such Commissioners as His Majesty shall appoint under the Great Seal, for the Licensing and Regulating of Hackney-Coaches, according to the particular provisions and limitations of this Bill; and that no Horse, Gelding, or Mare, to be used with such Coaches, shall be under the rise of fourteen hands high according to the Standard, and that

that the number to be licensed, shall not exceed four hundred; and that every Coach so licensed, shall have a mark of distinction by figure or otherwise, as the Commissioners shall think fit, to the end they may be known, if any complaint shall be made of them. And that no person shall be licensed to keep more then two Coaches, which Coaches shall have every of them several figures or marks of distinction in the same manner, as if belonging to several persons; and that no person shall presume to put the same figure or mark of distinction upon his Coach, that is appointed for any other Coach, under the forfeiture of five pounds for every such offence, one moiety whereof shall be to the Informer, and the other moiety to be paid to the Commissioners that shall be appointed for the paving and amending the streets.

And the said Commissioners for the licensing and regulating of Coaches, are to take especial care, not to license any person to drive or keep any Hackney Coach or Coach-horses, that useth any other trade or occupation; and in the first place to license all such persons, as have been ancient Coachmen, or such Coachmen as have suffered for their service and affections to his late Majesty, or his Majesty that now is, or the widow or widows of any of them, that have Coaches of their own.

And in case the said Commissioners shall license more then the said number of four hundred Coaches, every of the said Commissioners for licensing shall forfeit the sum of one hundred

hundred pounds, for every such Coach so licensed above the said number, whereof twenty pounds to the Informer, and the residue to be for the repairing and paving the ways and streets, to be levied by distress, by warrant under the hands and Seals of five or more of the other Commissioners, that shall be appointed for the paving and mending of the streets and High-ways.

And be it further Enacted by the Authority aforesaid, That no Hackney Coachman so licensed, shall presume to take for his hire in or about the Cities of London and Westminster, above the rate of ten shillings for a day, reckoning twelve hours to the day, and by the hour not above eighteen pence for the first hour, and twelve pence for every hour after, and that no Gentleman or other person, shall pay from any of the Inns of Court or thereabouts to any part of St. James or City of Westminster, (except beyond Tuttle-street) above twelve pence, and the same prices from the same places to the Inns of Court or places thereabouts, and from any of the said Inns of Court, or thereabouts, to the Royal Exchange twelve pence, and if to the Tower of London or to Bishopsgate Street, or Aldgate or thereabouts, eighteen pence, and so from the same places to the said Inns of Court as aforesaid, and the like rates from and to any place at the like distance with the places before mentioned. And if any Coachman shall refuse to go at, or shall exact more for his hire, then the several Rates hereby limited, he shall for every such offence forfeit the sum of ten shillings.

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CAROLI II. Regis. 15

And be it further Enacted, That every Coach so Licensed as aforesaid, shall pay to the Commissioners that shall be appointed for the Regulating and Licensing of Hackney-Coaches the yearly Rent of five pounds, and no more, whereof fifty shillings shall be paid at or before the twenty sixth day of May, One thousand six hundred sixty and two, and the sum of five and twenty shillings at or upon the feast day of St. Michael the Archangel next coming, and Twenty five shillings at the Feast of the Nativity of our Lord Christ; and from thence forward to be paid quarterly at the four most usual Feasts of the year, by equal portions (that is to say) at the Annuntiation of the Blessed Virgin, St. John the Baptist, St. Michael the Archangel, and the Nativity of our Lord Christ; which said sum and sums of money, the said Commissioners for the Hackney-Coaches shall from time to time, pay or cause to be paid to the Commissioners appointed for the paving and amending of the Streets and High-ways, within this Bill contained, or to such Treasurer or Receiver, as they shall appoint; and the said Commissioners for Hackney-Coaches, shall likewise from time to time, certify to the Commissioners appointed for the Paving of the Streets and High-ways, the names and dwellings of all such persons, as they shall license to drive or keep Hackney-Coaches, together with the several figures or marks of distinction, which are appointed to be long, and be affixed to the several Coaches, to the intent that discovery

covery may the better be made of any abuses that shall be committed, if any shall presume to affix the figure or mark of distinction to any Coach, which belong of right to another, and whereby the Commissioners for the paving and amending the Streets and High-Ways, shall be enabled to call the said Commissioners for the Hackney-Coaches to a true and due account: And in case any overplus shall be of the monies appointed by this Act to be raised for the paving and mending the Ways and Streets as aforesaid, then such overplus shall be employed towards the enlargement of such Streets or Places as are to be enlarged by virtue of this Act.

And be it further Enacted by the Authority aforesaid, That every load of Hay, which from the first day of May, One thousand six hundred sixty and two, shall be brought and stand to be sold upon any the Ways hereby in this Act expressed, and adjudged fit to be new paved, shall pay six pence for every load, and likewise every Cart of Straw to be sold in the said places, shall after the said day pay two pence, which said sums shall be paid to the Commissioners, which shall be appointed for the paving and amending the High-Ways and Streets, or such as they shall appoint, for and towards the paving of the Streets and High-Ways.

And be it further Enacted by the Authority aforesaid, That all Fines, Rents, Forfeitures and penalties, as shall grow due and payable to the said Commissioners by this Act,

CAROLI II. Regis.

17

Act, shall be levied by distress upon the goods and Chattels of the Offender or Offenders, by warrant under the Hands and Seals of the Commissioners, or any five or more of them, which shall be appointed by His Majesty, which shall be sold within fourteen days, and the overplus returned to the owner; and in default of distress or not payment, the person or persons so offending, or neglecting to pay, shall lie in prison without Bail or Main-prize, till he or they have paid such Rent, Fine, Forfeiture and Penaltie as was due from him or them.

And the said Commissioners for the Streets and ways, or any five or more of them so met as aforesaid, are hereby impowered to appoint a Treasurer or Collector and Clerk to attend them, or such other Officer or Officers, as they shall find necessary for the carrying on of the said Service, with such moderate allowances as shall be fit; and in case any person shall propose to carry away the ashes, dirt, and other filth, for all or any the places aforesaid, at less rates then the yearly Raker or Undertaker can or will perform the same, the said Commissioners shall have power, and are hereby authorized to contract with such person, and for such term as they shall think fit; and they are also to require an accompt from time to time of all Scavengers within the said places, and all other person or persons that shall receive or disburse any monies for the purposes in this Bill contained, as often as they, or any five or more of them, so met as aforesaid, shall think fitting

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and necessary, and shall hear and determine all Disputes and Differences concerning the right and duty of paving and keeping clean any of the Streets, Lanes, or Allies, or publique Pards within the places aforesaid.

Prohibited alwayes, That the respective Scabengers, Rakers, or other Undertakers, shall have liberty by the approbation of the said Commissioners, or any five or more of them, so met as aforesaid, to lodge their Ashes, Dust, Dirt, or other Filth, in such vacant publick places, in or near the Streets or High-ways, as shall be thought convenient by the said Commissioners, for the accommodating of Countrey Carts returning empty: And the said Scabengers, Rakers, or other Undertakers, shall have liberty to pass through such Wharfs, Docks, or Pards, with their Ashes, Dust, Dirt, &c. as shall be judged by the Commissioners to be most commodious for the carrying the same by Water, they giving satisfaction to the owners or occupiers of such Wharfs or Pards; and in case of unreasonable Demands, the said Commissioners shall hear, moderate, and determine the same according to equity and good conscience; and in case any person or persons shall find him or themselves aggrieved or prejudiced by such determination of the said Commissioners, or by any other the Acts or Proceedings of the said Commissioners, wherein he or they shall conceive themselves relievable in Justice or Equity; the said party so aggrieved, shall and may have recourse

CAROLI. II. Regis. 19

recourse in all cases to the Lord Treasurer, Chancellor of the Exchequer, and Barons of the Court of Exchequer, to set forth his or their case by Petition, Bill, or Plaint: And the said Court is hereby impowred in such case of Appeal, to hear and determine all matters to them complained of, concerning the same; and thereupon to reboke, make void, alter, or confirm such Acts or Proceedings of the said Commissioners, as shall be agreeable to Equity and Justice.

And the said Court of Exchequer is hereby also further impowred yearly to call the said Commissioners to an account, for all Rents, Fines, Penalties, Contributions, or any other sum or sums of money, payable, or that shall come to their or any of their hands, for any of the purposes in this Act intended.

And the said Commissioners are hereby required at or before every Trinity Term, to deliver in a true account before the Barons of the said Court, of all their Receipts and Disbursements for the year, ended at Easter then past, and in default thereof, Process shall of course be made forth against the said Commissioners, by the Clerk of the Exchequer of the said Court, at the Sealing-day for the said Trinity Term, every year respectibely.

And be it further Enacted by the Authority aforesaid, That the Decree made at a Session of Sewers at Westminster-Hall, within the City of Westminster, and County of Middlesex, the Eighth day of August, One thousand six hundred sixty and one, holden before

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John Lord Roberts, Lord Privy Seal, James Duke of Ormond in the Kingdom of Ireland, Lord Steward of His Majesties Household, and Earl of Brecknock, Mountague Earl of Lindsey, Edward Earl of Manchester, and others the Commissioners of Sewers, then and there assembled by Authority of His Majesties Commission of Sewers, to them and others directed, for the making of two new Sewers, and enlarging and amending the old Sewers near Charing-Cross, for conveying the Water away from annoying His Majesties Palace at Whitehall, be, and is hereby ratified, and confirmed, and shall be put in execution according to the true intent and meaning thereof, with full power to leavy all the Arrears, as by a Commission of Sewers can or may be done: And all and every person and persons imployed, or that have acted therein, be, and are hereby indemnified, and saved harmless from all manner of Suits and Actions that may or shall be brought against any of them for the same.

And whereas great quantities of Sea-coal ashes, dust, dirt, and other filth, of late times have been, and daily are thrown into the Streets, Lanes and Allies of the Cities of London and Westminster, and Borough of Southwark, and other parts adjacent, to the great annoyance of Your Majesties good people; Be it therefore Enacted by the Authority aforesaid, That all and every person and persons inhabiting within the said Cities of London and Westminster, and the Suburbs and Liberties thereof, and the Borough of Southwark,

Southwark, or in any of the said new build Streets, Lanes, or Allies, shall from the first day of May, One thousand six hundred sixty and two, sweep and cleanse, or cause to be swept and cleansed, all the Streets, Lanes, Allies, and publick places before their respective Houses, Buildings and Walls, twice every week, That is to say on every Wednesday, and every Saturday in the week, and all the soil, dirt, and other filth, shall cause to be taken up into Baskets, Tubbs, or other Vessels ready for the Baker, Stabinger, or other Officer appointed for that purpose, to carry away, upon pain to forfeit Three shillings and four pence for every offence or neglect respectively.

And that no person or persons whatsoever shall throw, cast or lay, or cause, permit, or suffer to be thrown, cast, or laid any Sea-coal ashes, dust, dirt, or other filth or annoyance in any open Street, Lane or Alley within the said Cities or places aforesaid, before or against his, her, or their own dwelling Houses, Buildings or Walls, on the penalty of five shillings; and if before the Houses, Buildings or Walls of any of their Neighbors, or other the Inhabitants of the cities or places aforesaid, or before or against any Church or Church-yard, or any of His Majesties Houses, Buildings or Walls, or any other publick Houses, Buildings or places whatsoever, or shall cast lay or throw, or cause to be cast, laid or thrown into any common or publick sink, vault, water-course, common sewer or high-way, within the said Cities or places

places aforesaid, or any other private Vault, or Sink of any of his Neighbours, or other Inhabitants, any Ashes, Dust, Filth, Ordure, or other noysome thing whatsoeber; but shall keep, or cause the same to be kept in their respective Houses, Back-sides, or Yards, until such time as the Raker, Scavenger, or other Officer thereto appointed, of the Ward, Parish, Street, or place where they dwell, do come by, or near their houses, or dooers, with his Cart, Barrow, or other thing or things used for cleansing the streets and carrying away thereof; and then shall carry, or cause to be carried the said Ashes, Dust, or other Filth and Annoyance aforesaid, forth of their houses, and deliver it unto the said Raker, Scavenger, or Officer, or otherwise put the same in his Cart, Barrow, or other thing as aforesaid, upon pain to forfeit the sum of Twenty shillings for every such offence.

And be it further Enacted, That the respective Church-Wardens, the House-keepers of Whitchal, and other His Majesties Houses, House-keepers, or Porters of Noblemens Houses, Ushers, Porters, or Keepers of Courts of Justice, and all other Publick Houses and places respectibely, shall be liable to, and shall suffer the like Penalties, Forfeitures, and Punishments for every the before-mentioned offences, or neglects, committed, done, or suffered to be done before any Church, or Church-yard, or before any of His Majesties Houses, Buildings, or Walls, or before any Noblemens Houses, Buildings,

CAROLII II. Regis. A 23

Buildings, or Walls, or before any other Publick Houses, Buildings, or places what-soever respectibely.

And be it further Enacted by the Authority aforesaid, That from and after the First day of May, One thousand six hundred sixty and two, no person or persons shall Hoop, Wash, or cleanse any Pipes, Barrells, or other Casks, or Vessels in any the Streets, Lanes, or open Passages aforesaid; nor shall set out any empty Coaches, to make, or mend, or rough Timber, or Stones to be sawn, or wrought in the Streets, on the penalty of Twenty shillings for every offence.

And be it further Enacted by the Authority aforesaid, That the Rakers, Scabengers, or other Officers thereunto appointed, every day in the week (except Sundays and other Holidays) shall bring or cause to be brought, Carts, Dung-pots, or other fitting carriages, into all Streets and places within their respective Wards, Parishes, Charges, and Divisions where such Carts or Carriages can pass; and at, or before their approach, by a Bell, Horn, Clapper, or otherwise, shall make distinct and loud noise, and give notice to the Inhabitants, of their coming, and make the like noise, and give the like notice in every Court, Alley, or place, into which the said Carts cannot pass, and abide, and stay there a convenient time, in such sort, that all persons concerned, may bring forth their respective Ashes, Dust, Dirt, Filth, and Soil, to the respective Carts, or Carriages, so staying as aforesaid; all which, the said Rakers,

24 Anno decimo tertio & quarto

Bakers, Scabengers, or other Officers aforesaid shall daily carry, or cause to be carried away, upon pain to forfeit forty shillings for every offence or neglect respectively.

And be it further Enacted by the Authority aforesaid, That all the open Streets, Lanes and Alleys within the said Cities and Places aforesaid (excepting onely the new paving of such Streets and Places, for which any of the Inhabitants have contributed and paid their respective proportions to the Commissioners before named, according to the Rates aforesaid) shall be forthwith sufficiently repaired, or paved, and from time to time hereafter maintained and kept sufficiently repaired or paved, at the costs and charges of the householders in the same Streets, Lanes and Alleys respectively, in manner following (that is to say) every of the said householders to repair and pave, and to keep repaired and paved, the Streets, Lanes or Alleys before his House, and so far as his housing, Walls or Building extend, unto the Channel, or middle of the same Street, Lane or Alley, upon pain to forfeit Twenty shillings for every Perch or Rod, (and after that rate for a greater or lesser quantity) for every default, and of Twenty shillings a week for every week after, until the same shall be sufficiently paved and amended.

Provided alway, That such ancient Streets, Lanes and Alleys within the said Cities, or either of them, the Suburbs and
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CAROLI II. Regis. 25

Liberties thereof, and Borough of Southwark, as by custom and usage have been repaired and paved in other manner, shall be hereafter repaired, paved and maintained in such sort and manner, and by such person and persons, as have heretofore used to repair, pave and maintain the same, under the penalties aforesaid. Any thing in this Act contained to the contrary thereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That every Householder within the said Cities, the Suburbs and Liberties thereof, and in all other the places aforesaid, whose house adjoyns unto, and is next the Street, from Michaelmas until our Lady day yearly, shall every night set or hang out Candles, or Lights in Lanthorns, or otherwise, in some part of his house next the Street, to enlighten the same for Passengers, from such time as it shall grow dark, until Nine of the clock in the evening, upon pain to forfeit the sum of One Shilling for every default.

And for the more speedy Reformation and punishment of all and every the offences aforesaid; Be it further Enacted by the Authority aforesaid, That every one of His Majesties Justices of either Bench, and Barons of his Exchequer, and every Justice of Peace of the said Cities of London and Westminster, and places aforesaid (within their several Limits respectively) shall have power and Authority upon his own knowledge, or view, confession of the party, or proof of one credi-

ble witness upon Oath before him (which Oath by vertue of this Act, such Justice shall have power to administer) to convict any person or persons of any the Offences aforesaid, whereby such person or persons so convicted, shall incur the penalties and forfeitures aforesaid, one Moyety whereof shall be disposed and imployed for and towards the reparation, paving and cleansing of the Street or place where the offence shall be committed, and as much, or all of the other Moyety as the Justice shall think fit, for him or them that shall discover and prosecute the same; in case the said conviction be by such discovery and prosecution: and if the conviction be by the view or knowledge of such Justices, then the said whole penalty to go and be imployed for and towards the repairing, paving, and cleansing of the said Streets, or place, and shall be levied by distress and sale of the Goods and Chattels of the Offender, by warrant under the hand and seal of any such Justice, to be directed to the Constable, or any other Officer of the same Parish, rendering the surplusage to the party, and in default of distress, or not payment of the said penalties, within six days after demand thereof, or notice in writing, left at the house or dwelling place of the Offender, by the said Constable, or any other Officer, the said Offender, not being a Peer of this Realm, shall be committed to the Common-Goal of the said County or City respectively, by the warrant of any such Justice under his hand and seal, there to remain without Bail or Mainprize until payment.

And

CAROLI II. Regis. 27

And for the better raising and levying of monies to defray the charges, and pay the wages of the said Scabengers, Rakers, or other Officers imployed in cleansing of the Streets, Lanes, Allies, and other places aforesaid, and carrying of the said ashes, dirt, filth and soil; Be it further Enacted by the Authority aforesaid, That within the City of London and Liberties thereof, the Scabengers, Rakers, and such like Officers, shall be elected, and the Rates, Taxes, and Assessments for Scabengers, Rakers, and such like Officers wages, for cleansing the Streets, shall be rated, taxed, assessed, raised and paid by the Parishioners and Inhabitants of every Parish and Precinct respectively, within the said City and Liberties thereof, according to the ancient custom and usage of the said City; And the Receivers of all such moneys shall be accomptable as formerly; And all new Messuages, Tenements and Houses, within the limits aforesaid, shall be likewise Rated, Taxed and Assessed, and shall pay proportionably with others; And that within the City of Westminster, the said Officers shall be chosen, and the Rates made and paid according to the ancient Custom of the said City: And in all other the Parishes and Places aforesaid, upon every Tuesday or Wednesday in Easter week, the Constables, Churchwardens, and Overseers for the Poor, and Surbepors of the High-ways of every of the said Parishes and Places respectively, or the greater number of them, giving notice unto, or calling together

gether such other Inhabitants of their respective Parishes, as have formerly borne the like Offices therein, they or the greater number of them shall make choice of, and shall nominate and appoint two or more able persons that are Tradesmen of their Parish, to be Scavengers for the streets, lanes, and other open Passages of each Ward and Division, within the said Parish for the year then next following, and until others be chosen and settled in their places; which persons so chosen, and being approved, and confirmed under the hands of any two Justices of Peace within their respective Limits and Jurisdictions, shall within seven days after their Election and Confirmation, and notice thereof, take that Office and Duty upon them, upon pain to forfeit Twenty pounds by every refuser respectively. And in case of refusal by any person or persons so chosen and confirmed, then other able persons shall be chosen and confirmed in manner aforesaid, within seven days after such refusal, in the place of him or them which shall so refuse; and the person or persons so chosen and confirmed, and having notice thereof, shall undergo the like pain, in case of refusal, or not taking the said Office and Duty upon him or them, within seven days after he or they shall be chosen and confirmed, and have notice thereof as aforesaid; The said Penalties to be disposed and employed for, or towards the mending and repairing of the Streets and Ways of the same Parish, Ward or Division, and to be levied by Distress and Sale of the
the

CAROLI II. Regis. 29

the Goods and Chattels of the Offender, by Warrant under the hand and seal of any Justice of the Peace of any of the places aforesaid, to be directed to the Constables, or other Officers of the same Parish, or any two or more of them (rendering the surplussage to the party) and in default of distress, or not payment within six days after demand thereof, or notice left in writing, at the house or dwelling-place of the offender, by the said Constables or Officers, the said offender to be committed to the Goal of the said County or City respectively, by the Warrant of any such Justice, under his hand and Seal, there to remain without Bail or Mainprize, until payment.

And be it further Enacted by the Authority aforesaid, That within Twenty days after the Election, and Confirmation of the said Scabengers as aforesaid, the Constables, Church-Wardens, and Overseers for the Poor, and of the High-ways of the said Parishes, and places respectively, or the greater number of them, giving notice unto, or calling together such Inhabitants of their respective Parishes, as have formerly borne the like office therein; They or the greater number of them then present, shall make and settle a Tax, Rate, or Assessment, according to a Pound-rate, to be imposed or set upon the Inhabitants of the said Parish, Ward, or Division, for the year following, for the purposes aforesaid; which being allowed, and confirmed by any two of the Justices of the Peace of the places aforesaid respectively;

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shall

30 Anno decimo tertio & quarto

shall be quarterly paid by every respective Inhabitant, upon demand made thereof by the Beadle of the Parish, or other Officer appointed to gather and collect the same: And in case of refusal or neglect, shall by Warrant of any two such Justices of the Peace, under their Hands and Seals be levied by Distress and Sale of the Offenders Goods; and for want of Distress, by Imprisonment of the Offender, (he not being a Peer of this Realm) until payment as aforesaid.

Provided always, and be it Enacted by the Authority aforesaid, That if any Action or Suit shall be brought, or prosecuted by any person or persons, against any Judge, Commissioner, Justice of the Peace, Constable, or other Officer, or Minister aforesaid, or against any person or persons employed by them, or any of them, or authorized by this Act to do or perform, as by this Act is directed, for any matter, cause, or thing, by them or any of them done, committed, or executed, by vertue or reason of this Act, or any Clause, or Article therein contained; that then in every such case, the Action shall be laid in the proper County where the fact was done, and not elsewhere; and the Defendant or Defendants may plead the General Issue, and give the special Matter in Evidence at the Tryal, That the same was done in pursuance, and by Authority of this Act; And if upon Examination it shall so appear to be done, the Jury shall finde for the Defendant; and in such case, or if the Plaintiff shall be nonsuit,

or

or discontinue his Action after the Defendant hath appeared, the Defendant shall have, and recover his or their double costs, which he, or they shall sustain, or be put unto, by reason of his or their wrongful vexation, in defence of the said Action or Suit.

And whereas the several Streets and Passages hereafter mentioned (that is to say) The Street or Passage at or near the Stocks in London; the Street and Passage from Fleet-Conduit to St. Pauls Church in London; the Passage through the White-Hart Inn, from the Strand into Covent-Garden; The Street and Passage by and near Exeter-house and the Savoy, being obstructed by a Rail, and the unevenness of the ground thereabouts; the Passage and Street of St. Martins-lane out of the Strand; the Passage or Street of Field-lane, commonly called Jack-an-Apes-lane, going between Chancery-lane and Lincolns-In-Fields; the Passage and Gate-house of Cheap-side into St. Pauls Church-yard; the Passage against St. Dunstons Church in the West (being obstructed by a Wall) the Street and Passage by and near the West-end of the Poultry in London, and the Passage at Temple-Bar, are so narrow that they are incommodious to Coaches, Carts and Passengers, and prejudicial to Commerce and Trading; Be it Enacted by the Authority aforesaid, That the Lord Mayor or of the City of London, the Recorder and Aldermen for the time being, together with such other Commissioners as his Majesty shall appoint under the Great Seal of England, or any five of them, shall have full power

er and Authority, to receive all Subscriptions and Payments of voluntary contributions of money or other endowments, towards the Amendment and Enlargement of the Streets and places before named, or so much of them, or any of them, as the said Commissioners, or any five or more of them shall judge fit and necessary; And are hereby further impowered to treat and agree with the Owners and Occupiers of any such Houses, as they shall judge fit to be removed, rebuilt, or pulled down, or any part of them; and upon payment of such sum or sums of money so agreed upon, are hereby authorized to appoint workmen to pull the said Houses down, or cause the said Owners or Occupiers to rebuild accordingly, and this Act shall be sufficient to indemnifie the said Commissioners, and all persons authorized by them, against the Heirs, Executors, Administrators or Assigns of any the said Owners or Occupiers, as if the same had been sold by Deed, Feoffment, bargain & sale, or other assurance in the Law, and done by Fine and Recovery, or any other way whatsoever; And if there shall be any persons, Bodies Corporate or Collegiate, that shall wilfully refuse to treat and agree, as aforesaid, or through any disability by Non-age, Coverture, or a special Entail, or other Impediment cannot, That in such Cases the said Commissioners are hereby authorized by vertue of this Act, to issue out Warrant or Warrants to the Sheriffs of London, who are hereby required accordingly to impanel and return a Jury before the said Commissioners,

or any five of them, which Jury upon their Oaths to be administered by the said Commissioners, are to enquire and assess such damage and recompence as they shall judge fit to be awarded to the Owners and Occupiers, or either of them, of any such houses, or any part thereof, for their respective Estates and Interests in the same, as by the said Commissioners shall be adjudged fit to be pulled down for the purposes aforesaid: and such Verdict of the Jury, and Judgment of the Commissioners thereupon, and the legal payment, or tender of the sum or sums of money so awarded and adjudged, shall be binding to all intents and purposes against the said parties, their heirs, Executors, Administrators and Assigns, and others claiming any Title or Interest in the said houses, or in the ground whereon they stand, or thereunto belonging, and shall be a full Authority for the said Commissioners or any five of them, to cause the same to be executed, and the said houses accordingly to be removed and pulled down.

And whereas the houses that shall remain standing on the other side of the said Street or Streets, or behind the said houses that shall be so pulled down as aforesaid, will receive much advantage in the value of their Rents, by the liberty of air, and free recourse for Trade, and other conveniences by such enlargement, It is also Enacted by Authority aforesaid, That in case of refusal, or incapacity, as aforesaid, of the Owners, or Occupiers of the said houses, to agree and compound with the Commissioners for the
I same,

34 Anno decimo tertio & quarto
same, thereupon a Jury shall and may be
Impannelled in manner and form aforesaid,
to Judge and Assess upon the Owners and
Occupiers of such Houses, such competent
sum or sums of money, or Annual Rent, in
consideration of such Improvement and Re-
novation, as in reason and good conscience
they shall judge and think fit; which said
sum and sums of money, or Rent, shall be
paid to the Chamberlain of the City of Lon-
don for the time being, and such other Treas-
urer or Treasurers as shall be appointed by
the said Commissioners, or any five or more
of them, who are hereby enabled from time
to time, to receive and recover the same by
Action at Law, and whose Receipt shall
be a good Discharge to the said Owners and
Tenants, and who are hereby appointed to
receive and pay, and be accountable for the
same, according to such directions as shall
from time to time be given them by the said
Commissioners: and the Moneys so raised,
or Rents so received, shall be expended upon
the purchasing or Re-building Houses on
the other side the Street, and upon paving
and amending of the Ways and Streets a-
foresaid, according to the purport of this Act.
And the said Verdict of the Jury, and
Judgement of the Commissioners in the
cases aforesaid, shall be sufficient, and con-
clusive in Law, to all intents and purposes,
against the said Owners and Occupiers,
their heirs, Executors, Administrators and
Assigns.

provided

Provided alwayes, And be it further Enacted by the Authority aforesaid, That no person shall be enabled to act as a Commissioner to the intents and purposes aforesaid, until he shall first have taken his Corporal Oath before the Lord Chancellor, or Lord high Treasurer of England for the time being, for the due and impartial execution of the Trusts by this Act committed to him.

Provided also, That the Lord Mayor, Recorder, and Aldermen of the City of London for the time being, shall be, and are hereby authorized to be Joynt-Commissioners, and to exercise all the Powers of this Act, to all the ends and purposes thereof, which are to be ordered, done, or executed within the said City, or the Liberties thereof: And likewise, That the Dean of Westminster, the High Steward, and his Deputy Steward, and the two High Burgeses of the said City of Westminster for the time being, shall be, and are hereby authorized to be Joint-Commissioners, and to exercise all the Powers of this Act, to all the ends and purposes thereof, which are to be ordered, done, or executed within the said City of Westminster, or the Liberties thereof, Any thing in this Act to the contrary notwithstanding. This Act to continue, and be in force until the end of the first Session of the next Parliament.

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CARROLL R. R.

The first of these is the fact that the
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